

I hereby certify that this correspondence and any other documents referred to as enclosed herein, are being deposited in an envelope with the U.S. Postal Service "Express Mail Post Office to Addressee" service, Label Number EL 889 535 346 US, under 37 CFR §1.10 on the date below and addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: August 22, 2001

By: Jennifer Maloy

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Rudakov, et al.

SERIAL No.: Not Yet Assigned

FILED: Filed Herewith

FOR: COMPOSITE EXPANDABLE DEVICE WITH  
POLYMERIC COVERING AND BIOACTIVE  
COATING THEREON, DELIVERY  
APPARATUS AND METHOD

EXAMINER: Unknown

ART UNIT: Unknown

Declaration Under 37 CFR §1.821

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

I, Larry W. Thrower, declare and affirm as follows:

1. I am an agent for the applicant.

2. The floppy disc which accompanies this Declaration contains the required sequence listing.

3. The sequence listing recorded on said disc matches the hard copy of the sequence listing accompanying this Declaration.

4. The present submission contains no new matter relative to the application as originally filed.

Respectfully submitted,



Larry W. Thrower  
Registration No. 47,994

Correspondence Address:

Customer No. 22918

DECLARATION FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled COMPOSITE EXPANDABLE DEVICE WITH POLYMERIC COVERING AND BIOACTIVE COATING THEREON, DELIVERY APPARATUS AND METHOD, the specification of which

(check  
one)  is attached hereto.

was filed on \_\_\_\_\_ as  
Application Serial No. \_\_\_\_\_  
and was amended on \_\_\_\_\_.  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
(Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/>	<input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.) (Filing Date) (Status)  
(patented, pending, abandoned)

Direct all telephone calls to Harold C. Hohbach at (650) 494-8700.

Address all correspondence to:

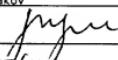
FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP  
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San Francisco, California 94111-4187

File No. A-68314/HCH

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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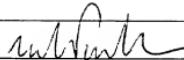
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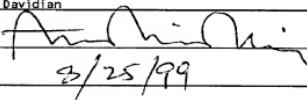
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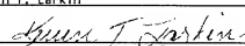
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